

REMARKS/ARGUMENTS

Claims 1-35 are pending in the application. Applicant, by this paper, amends claims 1, 11, 23, 24, 31, and adds new claim 35. Applicant respectfully requests reconsideration and allowance of all pending claims.

Although Applicant maintains that the arguments presented in the prior responses are sufficient to overcome the rejections presented by the Examiner, Applicant amends the claims in order to facilitate allowance of the claims.

Claim 1 is amended to include the feature of “projecting an infrared (IR) transmit signal including a transmitted code of the day (TCOD) encoded as pulse positions within a predetermined frame interval...” Support for the amendment can be found, for example, at Figure 7 and page 15, ll. 6-13 of the Specification, as filed.

Claim 1 also includes the feature of “selectively reflecting the IR transmit signal to modulate the reflected signal by opening and closing the retroreflector obturator...” Applicant makes explicit the feature that opening and closing the obturator operates to modulate the reflected signal. As described in the Specification, at page 13, ll. 6-10, the RCOD, through the obturator driver, controls opening and shutting of the obturator. The selective opening and closing of an obturator shutter operates to on-off-key modulate the reflected signal.

The references cited by the Examiner fail to teach or suggest an IR signal including a TCOD encoded as pulse positions within a predetermined frame interval. Similarly, the cited references fail to teach or suggest “selectively reflecting the IR transmit signal to modulate the reflected signal by opening and closing the retroreflector obturator.” Instead, the Examiner contends that the Dubois reference ((U.S. 5,966,227) teaches or suggests a wavelength as the TCOD or RCOD. *See, generally*, Office Action, dated August 28, 2006, and Advisory Action, dated November 14, 2006.

Claim 11 includes the feature of “projector means for projecting an infrared (IR) transmit signal including a transmitted code of the day (TCOD) encoded as pulse positions within a predetermined frame interval” and is believed to be allowable at least for the reasons presented above in relation to claim 1.

Claim 23 includes the feature “means for storing a reprogrammable Code of the Day (COD).” Support for the claimed feature can be found, for example, at FIG. 5 (code of the day storage) and page 11, ll. 21-23. Claim 23 also includes the feature “means for opening and closing the obturator means according to a response code of the day (RCOD) based in part on the COD.” The cited reference fails to teach or suggest this combination of claimed features.

Dubois fails to teach or describe a means for storing a reprogrammable COD, where the obturator means is opened and closed according to a RCOD based in part on the COD. Dubois fails to teach or suggest any means for storing a COD that is programmable, and fails to describe a RCOD that is based in part on the COD.

Instead, Dubois describes “a number of small panels...coated with laser paint designed to emit radiation at one or more selective wavelengths when subjected to a suitable interrogation pump beam.” *Dubois*, Abstract. Dubois fails to describe any means for storing a COD and fails to describe a RCOD based on the COD. Dubois also fails to describe opening and closing an obturator according to the RCOD.

Claim 31 includes “projector means for projecting an infrared (IR) transmit signal including a transmitted code of the day (TCOD) encoded as pulse positions within a predetermined frame interval.” Claim 31 is believed to be allowable at least for the reasons discussed above in relation to claim 1.

Claim 35 includes the feature of “a projector for projecting an infrared (IR) transmit signal including a transmitted code of the day (TCOD) encoded thereon” and “a sensor configured to receive a reflected IR transmit signal amplitude modulated with a response code of the day (RCOD).” Claim 35 is believed to be allowable at least for the reasons presented above in relation to claim 1.

Discussion of Dependent Claims

Claims 2-10, 12-22, 24-30, and 32-34 depend from one of claims 1, 11, 23, or 31 and are believed to be allowable at least for the reason that they depend from an allowable base claim. Each of the dependent claims may have patentable features that distinguish over the prior

Appl. No. 10/066,099
Amdt. dated January 29, 2007
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 2613

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art, but discussion of each individual claim is unnecessary in light of the allowability of the independent base claims.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858-350-6100.

Respectfully submitted,



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